



EDMUND G. BROWN JR.  
GOVERNOR



MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

May 4, 2016

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7015 1520 0001 8019 6477**

Mr. Gabriel Soto  
Warehouse and Facility Supervisor  
City of Montebello  
400 South Taylor Avenue  
Montebello, California 90640  
[gsoto@cityofmontebello.com](mailto:gsoto@cityofmontebello.com)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT MONTEBELLO CORPORATE YARD, 400 SOUTH TAYLOR  
AVENUE, MONTEBELLO**

Dear Mr. Soto:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on April 26, 2016, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and title 23, California Code of Regulations (CCR), chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Maintain Primary Containment</b> – A diesel leak was observed in dispenser 3/4.	Tank 5	April 26, 2016	Ongoing	H&SC 25291(a)(1); 23 CCR 2631(a), 2712(j)
2	<b>Failure to Maintain Tank Information Forms</b> – The tank information forms contain incorrect and incomplete information. Additionally, the piping to the generator must be added to the tank information forms.	All	April 26, 2016	Ongoing	23 CCR 2711(a)
3	<b>Failure to Maintain Plot Plan/Site Map</b> – The site map does not include the piping to the generator or dispensers.	All	April 26, 2016	Ongoing	H&SC 25286(a); 23 CCR 2711(a)(8)

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	<b>Failure to Maintain Monitoring Plan</b> – The monitoring plan incorrectly states tank monitoring by automatic tank gauge and lists mechanical line leak detectors.	All	April 26, 2016	Ongoing	H&SC 25286(a); 23 CCR 2632(d)(1), 2634(a),(b),(c) and (d), 2711(a)(9)
5	<b>Failure to provide Designated Operator Training</b> – The designated operator training form was incorrectly dated without the year training was performed.	All	April 26, 2016	Ongoing	23 CCR 2715(f)(3)
6	<b>Failure to Maintain Financial Responsibility</b> – The Chief Financial Officer letter is expired and using an unapproved format.	All	April 26, 2016	Ongoing	H&SC 25292.2; 23 CCR 2711(a)(11)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and the Los Angeles County Department of Public Works within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Thomas Henderson  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
1001 I Street, 16<sup>th</sup> Floor  
Sacramento, California 95814  
[tom.henderson@waterboards.ca.gov](mailto:tom.henderson@waterboards.ca.gov)

**Local CUPA**

Mr. Luke Mitchell  
Associate Civil Engineer  
Los Angeles County Department of  
Public Works  
900 S. Fremont Avenue  
Alhambra, California 91803  
[lmitchell@dpw.lacounty.gov](mailto:lmitchell@dpw.lacounty.gov)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,

Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: See next page.

cc: *(via email only)*

Mr. Tim Smith  
Civil Engineer  
Los Angeles County Department  
of Public Works  
[tsmith@dpw.lacounty.gov](mailto:tsmith@dpw.lacounty.gov)

Mr. Luke Mitchell  
Associate Civil Engineer  
Los Angeles County Department  
of Public Works  
[lmitchell@dpw.lacounty.gov](mailto:lmitchell@dpw.lacounty.gov)

Mr. Joseph Baiocco  
Inspection Unit Supervisor  
Los Angeles County Department  
of Public Works  
[jbaiocco@dpw.lacounty.gov](mailto:jbaiocco@dpw.lacounty.gov)

Mr. Jose Melendez  
Shop Maintenance Supervisor  
Montebello Bus Lines  
[jmelendez@cityofmontebello.com](mailto:jmelendez@cityofmontebello.com)